REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and following remarks is respectfully requested.

Claims 1-18 are pending in this application. By this amendment, Claims 1, 8, 11, and 15-18 have been amended; and the specification has been amended. It is respectfully submitted that no new matter has been added.

In the outstanding Office Action, the Information Disclosure Statement filed on May 24, 2004 was objected to; the disclosure was objected to; Claims 11, 15, and 16 were objected to; Claims 17 and 18 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter; and Claims 1-18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Medvinsky et al. (U.S. Patent No. 7,237,108 B2, hereinafter "Medvinsky").

In response to the objection to the Information Disclosure Statement filed May 24, 2004, which disclosed related cases with corresponding application numbers, and in response to the Examiner's recommendation, Applicants herewith submit a PTO-1449 form listing the same related cases with updated corresponding publication or patent numbers. Accordingly, it is respectfully requested this objection be withdrawn and all the related cases be considered by the Examiner.

In response to the objection to the disclosure as containing embedded hyperlinks and/or other forms of browser executable code, the embedded hyperlinks found on pages 2, 16 and 17 have been deleted by this amendment. It is respectfully submitted that no new matter has been added.

In response to the objections to Claims 11, 15, and 16, the corrections suggested in the Office Action have been made. Specifically, the inappropriately placed period in Claim 11 has been changed to a semicolon and the word "and" has been added; the spelling of the word "judgment" has been corrected in Claim 15; and the additional word "the" has been removed

from Claim 16. It is respectfully submitted that no new matter has been added by this amendment.

In response to the rejection of Claims 17 and 18 under 35 U.S.C. § 101 as directed to non-statutory subject matter, Claims 17 and 18 have been amended to include the language "which employs a storage medium." It is respectfully submitted that the amendments to Claims 17 and 18 correct the language of those claims so that they are now directed towards statutory subject matter. Accordingly, withdrawal of the rejection of Claims 17 and 18 under 35 U.S.C. § 101 is respectfully requested.

In response to the rejection of Claims 1-18 under 35 U.S.C. § 102(e) as being anticipated by Medvinsky, independent Claims 1, 8, 17, and 18 have been amended to more clearly distinguish from Medvinsky and the other references of record.

The Office Action states that "Medvinsky discloses a transmission device, comprising: a transmission control unit configured to control a transmission of a packet that requires a copyright protection which contains an encrypted electronic data, a copyright protection control data, and an RTP (Real-time Transport Protocol) header including a value of a dynamic payload type that indicates information regarding a state of the encrypted electronic data (column 2, lines 29-56, 'encrypting the entire RTSP message including the header', column 3, lines 15-29 and 47-67, column 4, lines 14 and 44-64, column 5, lines 63-67, column 6, lines 1-6, column 12, lines 22-32 and 39-51 and column 13, lines 8-40, 'RTP Security Services', 'RTP Cryptographic Mechanisms' and 'RTP Packet Encoding'...)." In accordance with the RTP Cryptographic Mechanisms of Medvinsky, encryption is supplied to the packet's payload. The sender looks up the session ID for the RTP packet. Look up could be based on the SSRC (RTP Synchronization Source) or on the destination IP address and UDP port, which are contained in the header of the RTP packet. The session SID identifies a

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set of security parameters for encrypting this packet, for example, Initialization Vector (IV) which is automatically generated by taking a SHA-1 hash of the RTP packet header. Namely, while an RTP packet consists of an RTP packet header and a payload, the payload is encrypted in its entirety. The RTP packet header is referred to for decoding the packet. However, the specification of the RTP packet is defined by the RFC-1889 (or 3551) format. The use of the RTP packet header for encryption is therefore substantially limited.

Claim 1 as amended recites a transmission device and further includes recitation of "an encryption unit configured to generate the encrypted electronic data by performing encryption in accordance with the copyright protection control data." Claim 8 recites a reception device and further includes "a decryption unit configured to decrypt the encrypted electronic data with reference to the copyright protection control data." Claim 17 recites a computer program product which employs a storage medium and further includes "a fourth computer program code for causing the computer to carry out an encryption processing for generating the encrypted electronic data in accordance with the copyright protection control data." Claim 18 recites a computer program product which employs the storage medium and further includes "a fourth computer program code for causing the computer to carry out a decryption processing for decrypting the encrypted electronic data with reference to the copyright protection control data." It is respectfully submitted that independent Claims 1, 8, 17 and 18 are neither disclosed by nor rendered obvious by Medvinsky or any of the other references of record, either taken alone or in any conceivable combination. Medvinsky fails to disclose or render obvious RTP data including copyright protection control data. Further, Medvinsky fails to disclose or render obvious encrypted electronic data in accordance with the copyright protection control data as recited in the claims.

It is respectfully submitted that Claims 2-7 and 8-16 are patentable at least for the reasons argued above with respect to the claims from which they depend.

Accordingly, withdrawal of the rejections under 35 U.S.C. § 102(e) of Claims 1-18

over <u>Medvinsky</u> is requested and allowance of amended Claims 1-18 is respectfully

requested.

Consequently, for the reasons discussed in detail above, no further issues are believed

to be outstanding in the present application and the present application is believed to be in

condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this

application in even better form for allowance, the Examiner is encouraged to contact the

undersigned representative at the below-listed telephone number.

Respectfully submitted,

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